MEMORANDUM

Agenda Item No. 8(H)(1)

TO:

Honorable Chairman Jean Monestime

and Members, Board of County Commissioners

DATE:

October 5, 2016

FROM:

Abigail Price-Williams

County Attorney

SUBJECT:

Resolution authorizing

conveyance of an easement to

Florida Power and Light

Company in exchange for \$1.00 to install and maintain electric power facilities at Larry and Penny Thompson Park, located at

12451 SW 184 Street;

authorizing County Mayor to execute easement and exercise all

provisions contained therein

The accompanying resolution was prepared by the Parks, Recreation and Open Spaces Department and placed on the agenda at the request of Prime Sponsor Commissioner Dennis C. Moss.

Abigail Price-Williams

County Attorney

APW/cp

Memorandum



Date:

October 5, 2016

To:

Honorable Chairman Jean Monestime

and Members, Board of County Commissioners

From:

Carlos A. Gimenez

Mayor

Subject:

Resolution Authorizing the Conveyance of an Easement to Florida Power and Light Company for the Installation and Maintenance of Electrical Power Transmission Facilities at Larry and

Penny Thompson Park

Recommendation

It is recommended that the Board of County Commissioners adopt the attached resolution authorizing the conveyance of a 269 square foot easement to Florida Power and Light Company (FPL) for underground electrical lines, an electrical transformer, and related equipment for the Water and Sewer Department pump station 680 located at Larry and Penny Thompson Park.

Scope

Larry and Penny Thompson Park is located at 12451 SW 184 Street, in County Commission District 9, which is represented by Commissioner Dennis C. Moss.

Fiscal Impact/Funding Source

The fiscal impact is receipt of \$1.00 from FPL, into Index Code PRELPT458610, Larry and Penny Thompson Park.

Track Record/Monitor

The Property Management Supervisor of the Miami-Dade Parks, Recreation and Open Spaces Department, John Bowers, will ensure completion of the easement document, its recording, and delivery to the Clerk of the Board.

Background

The Water and Sewer Department is upgrading pump station 680 at Larry and Penny Thompson Park that requires electrical power, FPL will provide electrical power in exchange for Miami-Dade County providing a 269 square foot easement (Attachment A to the resolution) for underground electrical lines, an electrical transformer, and related equipment. The easement area begins near the pump station by the park office and is approximately 10-feet wide and 27 feet in length. The only above-ground facility will be the transformer, which will be screened by landscaping or a fence so it will not impact adversely the park's aesthetics, in accordance with Resolution No. R-504-15.

Senior Advisor

Attachments



MEMORANDUM

(Revised)

TO:	Honorable Chairman Jean Monestime and Members, Board of County Commissioners	DATE:	October 5, 201	6
FROM	Charie I Manue	SUBJECT:	Agenda Item No.	8(H)(1)
1	Please note any items checked.			
	"3-Day Rule" for committees applicable i	f raised		
	6 weeks required between first reading ar	ıd public hearin	g	
	4 weeks notification to municipal officials hearing	required prior	to public	
	Decreases revenues or increases expenditu	ures without bal	ancing budget	
· · · · · · · · · · · · · · · · · · ·	Budget required			٠.
	Statement of fiscal impact required			
	Statement of social equity required		,	
	Ordinance creating a new board requires report for public hearing	detailed County	Mayor's	
	No committee review			
	Applicable legislation requires more than 3/5's, unanimous) to approve	a majority vote	(i.e., 2/3's,	
	Current information regarding funding so	ource, index cod	e and available	

balance, and available capacity (if debt is contemplated) required

<u> </u>	Agenda Item No.	8(H)(1)	
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RESOLUTION NO.

RESOLUTION AUTHORIZING CONVEYANCE OF AN EASEMENT TO FLORIDA POWER AND LIGHT COMPANY IN EXCHANGE FOR \$1.00 TO INSTALL AND MAINTAIN ELECTRIC POWER FACILITIES AT LARRY AND PENNY THOMPSON PARK, LOCATED AT 12451 SW 184 STREET; AUTHORIZING COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE EASEMENT AND EXERCISE ALL PROVISIONS CONTAINED THEREIN

WHEREAS, the County, through its Water and Sewer Department and Parks, Recreation and Open Spaces Department, is upgrading pump station 680 at Larry and Penny Thompson Park, located at 12451 SW 184 Street; and

WHEREAS, the County desires to use electric power facilities from the Florida Power and Light Company to operate the pump station; and

WHEREAS, Florida Power and Light Company agrees to provide electric power facilities to the pump station in exchange for an easement to allow access to install and maintain them; and

WHEREAS, the easement is for electrical service that includes underground lines that will not impact adversely the park's aesthetics, with the only visible element, a power transformer, to be located in an area screened by landscaping, in accordance with Resolution No. R-504-15; and

WHEREAS, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that:

<u>Section 1.</u> This Board adopts the foregoing recitals as if fully set forth herein.

Section 2. This Board hereby authorizes the conveyance of an easement to Florida Power and Light Company for \$1.00 for installation and maintenance of electric power facilities at Larry and Penny Thompson Park, in substantially the form attached hereto as Attachment A and made a part hereof, and authorizes the County Mayor or County Mayor's designee to execute the easement and to exercise all provisions contained therein.

Section 3. Pursuant to Resolution No. R-974-09, this Board (a) directs the County Mayor or County Mayor's designee to record the easement into the Public Records of Miami-Dade County Florida and to provide a recorded copy of the easement to the Clerk of the Board within 30 days of the recordation of the easement; and (b) directs the Clerk of the Board to attach and permanently store a recorded copy of the easement together with the resolution.

The foregoing resolution was offered by Commissioner who moved its adoption. The motion was seconded by Commissioner and upon being put to a vote, the vote was as follows:

Jean Monestime, Chairman Esteban L. Bovo, Jr., Vice Chairman

Bruno A. Barreiro Jose "Pepe" Diaz Sally A. Heyman Dennis C. Moss Sen. Javier D. Souto Daniella Levine Cava Audrey M. Edmonson Barbara J. Jordan Rebeca Sosa Xavier L. Suarez

Juan C. Zapata

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The Chairperson thereupon declared the resolution duly passed and adopted this 5th day of October, 2016. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this Resolution and the filing of this approval with the Clerk of the Board.

MIAMI-DADE COUNTY, FLORIDA BY ITS BOARD OF COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

Ву:	
Deputy Clerk	

Approved by County Attorney as to form and legal sufficiency.

MAG

Miguel A. Gonzalez

EASEMENT

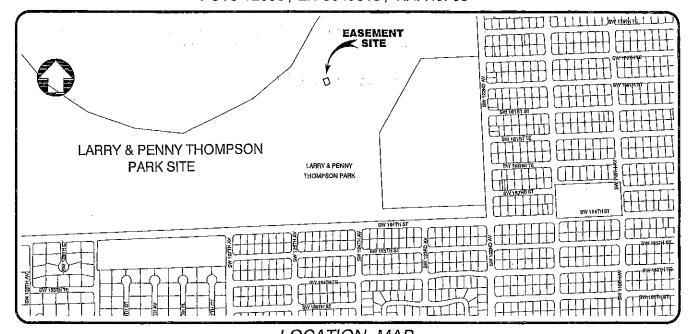
Work Request No	This Instrument Prepared By		
Sec 36 Twp 55 Rge 39	Name:	Randy Koper	
	Co. Name:	Miami Dade County	
Folio No.		Parks Recreation and	
<u>30 5936 000 0030</u>		Open Spaces Dept.	
	Address:	275 NW 2 St. #430 Miami, FL 33128	
		(vitami, 13) 33120	
The undersigned, in consideration o	f the nazime	nt of \$1.00 and other co	Reserved for Recording
adequacy and receipt of which is			
Company, its licensees, agents, s			
construction, operation and mainter			
guys, cables, conduits and appurter reconstruct, improve, add to, enlarge			
or any of them located at Larry and			
described property:		,	
	g	. I . I 44T3I 21 24 A 22	
	See attac	ched "Exhibit A"	
Grantors Address:		(3rantee Address:
Miami-Dade County			Torida Power and Light Company
111 NW 1st Street			250 West Flagler Street
Miami, Florida 33128		7,	Aiami, Florida 33174
of all trees, undergrowth and other oundersigned has the power to grant	obstructions, if at all, thent Area. The	within the Easement Ar ne rights hereinabove gra he County shall have the	the right to clear the land and keep it cleared rea; and further grants to the fullest extent the anted on the land heretofore described, over, right and privilege to use the Easement Area granted hereunder to Grantee.
IN WITNESS WHEREOF, the unde	rsigned has	signed and sealed this in	strument on, 2016.
IN WITNESS WHEROF the said pa	rty of the fir	rst part has caused these	presents to be executed in its name
by its Board of County Commission	ers acting by	the Mayor of said Boar	d, the day and year aforesaid.
(OFFICIAL SEAL)			
ATTEST:			DADE COUNTY, FLORIDA
HADNEY DIRINI CI EDV			OARD OF COMMISSIONERS
HARVEY RUVIN, CLERK		COUNTY	COMMUSSIONERS
		· · · ·	
By:		By: Mayo	or
Deputy Clerk		Mayo	or .
Approved as to Form and Sufficience	у		;
Print Nan	ne		
The foregoing was authorized and ap of Miami-Dade County, Florida, on			the Board of County Commissioners

ATTACHMENT A

SKETCH TO ACCOMPANY LEGAL DESCRIPTION

10' FLORIDA POWER & LIGHT COMPANY EASEMENT UPGRADE SEWAGE PUMP STATION No. 0680, CD PROJECT No. 5.16 (4) PCTS 12035 / ER-S049313 / T.A. No. 05

EXHIBIT A



LOCATION MAP

PERTINENT INFORMATION USED FOR THE PREPARATION OF THIS DOCUMENT:

The Legal Description of the Subject Parcel was generated from the following documents:

- 1. Plat of "EUREKA MANOR SECTION THREE", recorded in Plat Book 121, at Page 19, Miami-Dade County Records.
- 2. Plat of "SO MIAMI HEIGHTS ADDITION B", recorded in Flat Book 23, at Page 16, Miami-Dade County Records.
- In addition, the following documents were reviewed for the preparation of this Sketch and Legal Description:
- 1. Grant of Easement recorded August 19, 1977 in Official Records Book 9775, at Page 1069, Miami-Dade County Records.

Bearings as shown hereon are based upon the South Line of Section 36, Township 55 South, Range 39 East, Miami-Dade County, Florida, with an assumed bearing of 387°42'27"W, said line to be considered a well established and monumented line.

EASEMENTS AND ENCUMBRANCES:

No information was provided as to the existence of any easements other that what appears on the underlying Plat of record. Please refer to the Limitations item with respect to possible restrictions of record and utility services.

RESTRICTIONS:

Since no other information were furnished other than what is cited in the above pertinent information used for the preparation of this document, the Client is hereby advised that there may be legal restrictions on the subject property that are not shown on this Sketch or contained within this report that may be found in the Public Records of Miami-Dade County, Florida or any other public and private entities as their jurisdictions may appear.

This document does not represent a field boundary survey of the described property, or any part or parcel thereof.

SURVEYOR'S CERTIFICATE

hereby certify: That this "Sketch to Accompany Legal Description" and the Survey Map resulting therefrom was performed under my direction and is true and correct to the best of my knowledge and belief and further, that said "Sketch to Accompany Legal Description" meets the intent of the applicable provisions of the "Minimum Technical Standards for Land Surveying in the State of Florida", pursuant to Rule 5J-17.05! through 5J-17.052 of the Florida Administrative Code and its implementing law. Chapter 472.027 of the Florida Statutes.

LONGITUDE SURVEYORS LLC., a Florida Limited Liability Company	
Florida Certificate of Authorization Number LB7335	

Bu-			Date	
Dy.		 	 Date.	
	Jose Senas, PSM			

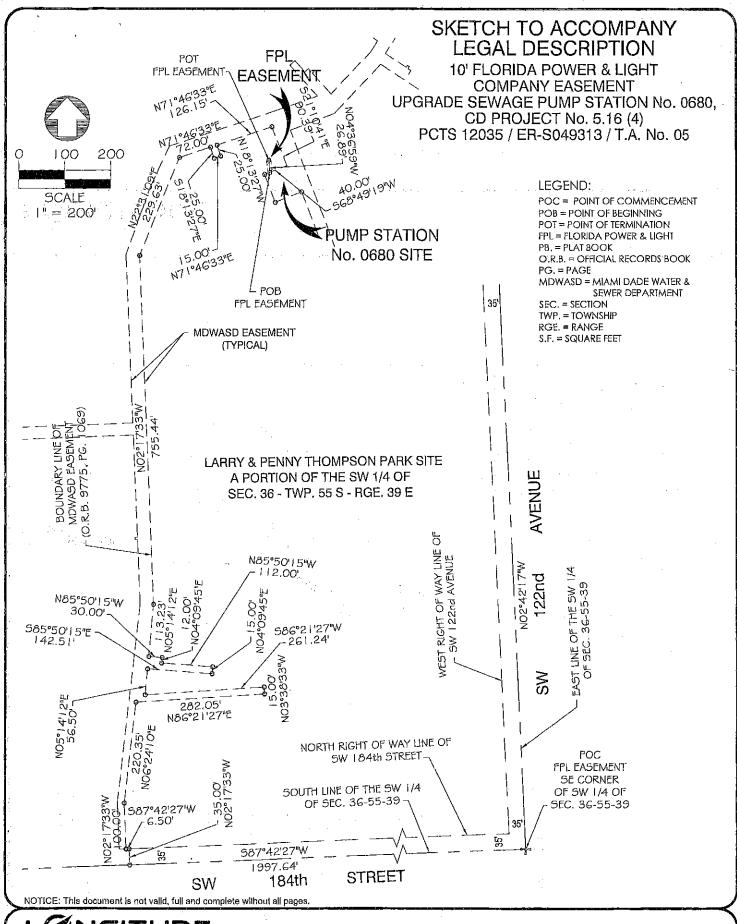
Registered Surveyor and Mapper LS5938 State of Florida

Not valid without the signature and original raised seal of a Florida Licensed Surveyor and Mapper. Additions or deletions to Survey Maps by other than the signand party are prohibited without the written consent of the signing party.

NOTICE: This document is not valid, full and complete without all pages.



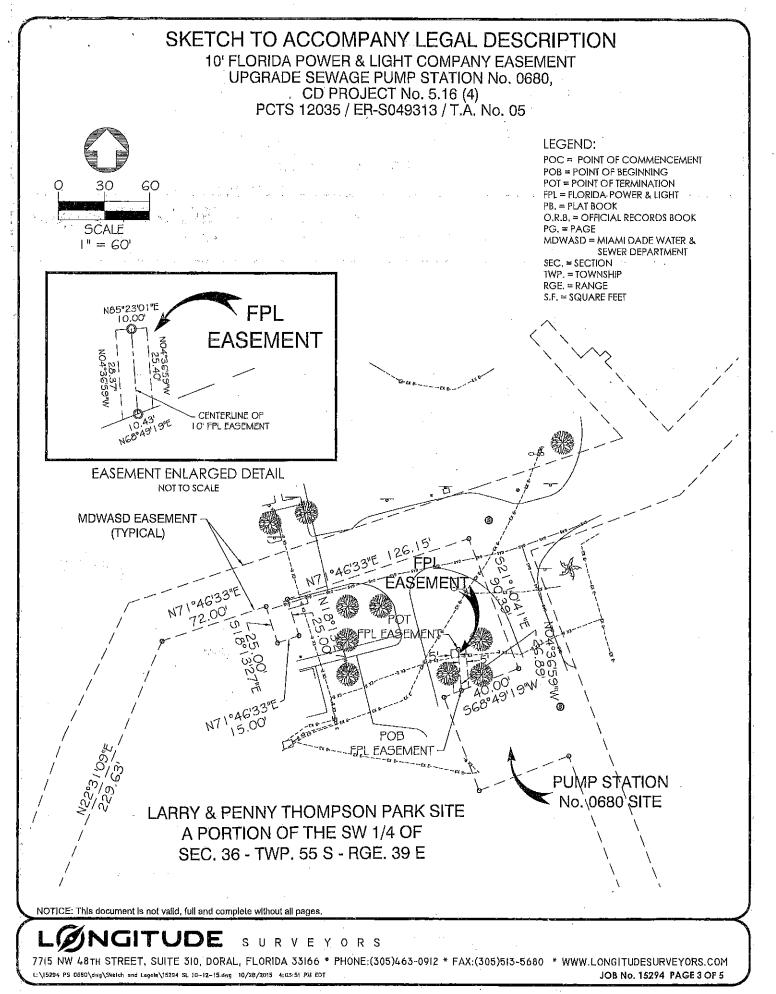
7715 NW 48th STREET, SUITE 310, DORAL, FLORIDA 33166 * PHONE: (305)463-0912 * FAX: (305)513-5680 * WWW.LONGITUDESURVEYORS.COM L:\15294 PS 0680\dwg\Sketch and Legals\15294 SL 10-12-15.dwg 10/28/2015 3:42:32 PM EDT JOB No. 15294 PAGE 1 OF 5



LONGITUDE SURVEYORS

7715 NW 48TH STREET, SUITE 310, DORAL, FLORIDA 33166 * PHONE:(305)463-0912 * FAX:(305)513-5680 * WWW,LONGITUDESURVEYORS.COM
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JOB No. 15294 PAGE 2 OF 5



SKETCH TO ACCOMPANY LEGAL DESCRIPTION

10' FLORIDA POWER & LIGHT COMPANY EASEMENT UPGRADE SEWAGE PUMP STATION No. 0680, CD PROJECT No. 5.16 (4) PCTS 12035 / ER-S049313 / T.A. No. 05

LEGAL DESCRIPTION OF FPL EASEMENT:

A portion of land in the Southwest 1/4 of Section 36, Township 55 South, Range 39 East, Miami-Dade County, Florida, being more particularly described as follows:

COMMENCE at the SE corner of the Southwest 1/4 of the Section 36, Township 55 South, Range 39 East, Miami Dade County, Florida; thence S 87° 42' 27" W along the South Line of the Southwest 1/4 of the said Section 36, for 1,997.64 feet; thence N 02° 17' 33" W for 35.00 feet to a point on a line parallel with and 35 feet North of the South Line of the Southwest 1/4 of the said Section 36; thence run 5 87° 42' 27" W along said line parallel with and 35 feet North of the South Line of the Southwest 1/4 of the said Section 36, for 6.50 feet, (the following courses up to the Point of Beginning being along the boundary line of a Miami Dade Water and Sewer Department Easement as shown in certain Grant of Easement, recorded in Official Records Book 9775, at Page 1069, of the Public Records of Miami Dade County, Florida); thence run N O2° 17' 33" W for 100.00 feet; thence run N O6° 24' 10" E for 220.35 feet; thence run N 86° 21' 27" E for 282.05 feet; thence run N 03° 38' 33" W for 15.00 feet; thence run S 86° 21' 27" W for 261.24 feet; thence run N 05° 14' 12" E for 56.50 feet; thence run S 85° 50' 15" E for 142.51 feet; thence run N O4° O9' 45" E for 15.00 feet; thence run N° 85° 50' 15" W for 112.00 feet; thence run N O4° O9' 45" E for 12.00 feet; thence run N 85° 50' 15" W for 30.00 feet; thence run N O5° 14' 12" E for 113.23 feet; thence run N O2°17' 33" W for 755.44 feet; thence run N 22° 31' 09" E for 229.63 feet; thence run N 71° 46' 33" E for 72.00 feet; thence run S 18° 13' 27" E for 25.00 feet; thence run N 71° 46' 33" E for 15.00 feet; thence run N 18° 13' 27" W for 25.00 feet; thence run N 71° 46' 33" E for 126.15 feet; thence run S 21° 10' 41" E for 90.39 feet; thence run S 68° 49' 19" W for 40,00 feet to the POINT OF BEGINNING of a 10 foot wide Florida Power # Light Company Easement, lying 5 feet on each side of the following described centerline (shortening of extending the side lines thereof, so as to create a continuous strip of land); thence N 04°36'59" W for 26.89 feet to the Point of Termination of the aforementioned centerline.

Containing 269 Square Feet, more or less, by calculations.

NOTICE: This document is not valid, full and complete without all pages.



